



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

www.deq.virginia.gov

Doug Domenech
Secretary of Natural Resources

David K. Paylor
Director

September 28, 2011

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Todd Burbage, Vice-President
Sunset Bay LLC
9428 Stephen Decatur Highway
Berlin, MD 21811

RE: Reissuance of VPDES Permit No. VA0054003
Sunset Bay Utilities South Wastewater Treatment Plant
Chincoteague, VA

Dear Mr. Burbage:

The enclosed effluent limitations and monitoring requirements for the above referenced permit have been approved. Additionally, enclosed is a copy of the fact sheet page that describes public participation in the permit issuance process. Please replace the page in the fact sheet that you received with the draft permit with this page.

Your permit is also enclosed. In accordance with the permit, you are required to submit monitoring reports to the following address:

Department of Environmental Quality (DEQ)
Tidewater Regional Office
5636 Southern Boulevard
Virginia Beach, VA 23462

The reporting forms are included with the permit. You will be responsible for obtaining additional copies of the reporting forms. The first monthly reports (DMRs) are due the 10th of January 2012 for December 2011. The reporting forms are included with the permit. You will be responsible for obtaining additional copies.

Please note that compliance with the permit's requirements for use and disposal of sewage sludge does not relieve you of your responsibility to comply with federal requirements set forth in 40 CFR Part 503. Until DEQ seeks and is granted authority to administer the Part 503 regulations by EPA, treatment works treating domestic sewage should continue to work directly with EPA to comply with them. For more information, you can call the EPA Region III office in Philadelphia at 215-814-5735.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

Alternatively, any owner under Section 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in Section 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

A Reliability Class I is assigned to this facility and this facility has Class III licensed wastewater operator requirements (for tertiary treatment and nitrogen removal).

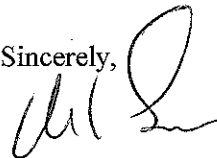
DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. We anticipate that in the near future all permittees will be participants in the e-DMR program. There are many benefits to both DEQ and the permittee when e-DMR is utilized for submissions:

- 1) Fewer revisions for data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis; and
- 5) Electronic signatures from multiple people are allowed and e-DMR can be accessed from multiple computer locations.

We ask that you apply for e-DMR participation now so that we will be able to complete the application process when your permit is effective. The following website provides details and our regional e-DMR administrator Debbie Kay, phone 757-518-2127, Deborah.kay@deq.virginia.gov can also assist you: <http://www.deq.virginia.gov/water/edmrfaq.html>

If you have any additional questions, please do not hesitate to contact Robert E. Smithson at 757-518-2106.

Sincerely,



Mark H. Sauer
Water Permit Manager

cc: DEQ - OWPP, TRO ECM File
EPA - Region III (3WP12)

Encl: Permit No. VA0054003
Revised Fact Sheet Page

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OTHER COMMENTS RECEIVED FROM RIPARIAN OWNERS/CITIZENS ON DRAFT PERMIT: Document any comments received from other sources and note how resolved.

The application and draft permit have received public notice in accordance with the VPDES Permit Regulation, and no comments were received.

PUBLIC NOTICE INFORMATION: Comment Period:

Start Date

8/27/11

End Date

9/26/11

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting R. E. Smithson at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2106 E-mail: robert.smithsonjr@deq.virginia.gov

Following the comment period, the Board will make a determination regarding the proposed reissuance. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:

The facility has an extended aeration-activated sludge package treatment plant followed by sand filtration to meet tertiary limitations. The previous permit had interim limits to reflect a 0.023 MGD design flow prior to final design flow of 0.0395 MGD. A CTO was issued for this final design flow in spring of 2010.

DSS commented on the reissuance application by stating the project would not cause an increase in the size or type of the existing closure. VMRC had no comments on the application.